

## **REMARKS**

Claims 1-43 remain pending in the application.

### **35 U.S.C. § 102 Rejections:**

Claims 1-43 were rejected under 35 U.S.C. § 102(e) as being anticipated by Eden, U.S. Patent Application Publication 2002/0184361. Applicant respectfully traverses this rejection.

**The cited reference does not teach or suggest all of the elements of the independent claims.** Eden teaches a system and method for building a graphical user interface (GUI), in real-time, to depict the availability of known network-connected devices. Upon startup, the GUI represents each network connected element as unavailable. Then, each network element is queried. As communications are established with each network device, the GUI is modified to show that particular device as available. Thus, the GUI quickly changes from the initial state, to one where available devices are depicted. If communications cannot be established with a network element, the GUI representation of the device as unavailable is maintained. Thus, the GUI is initialized and modified independent of any timeouts associated with a failed network device communication.

Independent claim 1 recites:

“An apparatus, comprising:

- a scoreboard comprising a plurality of locations adapted to store transaction identifiers each associated with a transaction, wherein each transaction comprises a first client sending a request to a second client, and wherein each transaction identifier includes a first timer flag and a second timer flag; and
- a device adapted to manage the plurality of transaction identifiers in the scoreboard” (Emphasis added).

Independent claims 13, 19, and 31 recite similar combinations of features.

In the office action, the Examiner contends that paragraph [0032] of Eden teaches transaction identifiers as device names. Applicant respectfully disagrees with this characterization. Applicant submits that each of the device names taught by Eden is associated with a device, in contrast to the transaction identifiers as recited in the independent claims, each of which is associated with a transaction. Furthermore, The Examiner has not specified how the device names taught by Eden include a first timer flag and a second timer flag, nor can Applicant find any teaching or suggestion therefor. The Examiner has further failed to point out any specific teaching in Eden of a scoreboard comprising a plurality of locations adapted to store transaction identifiers, each associated with a transaction, as recited in the independent claims.

The Examiner further contends that Eden teaches a device adapted to manage a plurality of transaction identifiers in paragraph [0030], which states:

“[0030] The querying device 102 has a network connection port connected to line or network connection 118. At least one device (six are shown) has a network connection port for communications with the querying device 102 on line 118. The querying device 102 has, or is connected to a user interface, such as a mouse or keyboard to accept commands requesting the availability of the network-connected devices 106-116. In some aspects of the invention the request is embedded in software and automatically enabled in response to an event such as powering up the querying device 102. The querying device 102 builds the GUI 104, in real-time, representing the availability of network devices 106-116, in response to commands from the querying device user interface 118.”

The above citation is directed toward a querying device which builds a GUI representing the availability of network devices. The Examiner contends that the querying device is the device adapted to manage the scoreboard. However, the above citation does not

provide any teaching or suggestion of the querying device managing a plurality of transaction identifiers, each of which is associated with a transaction. Applicant can find no teaching or suggestion in the above citation, or elsewhere in Eden, of a device that stores and manages transaction identifiers.

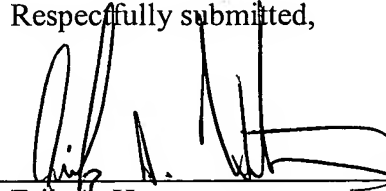
For at least the reasons stated above, Applicant submits that Eden does not teach or suggest all of the elements of the independent claims, and thus a case of anticipation has not been established. Accordingly, removal of the 35 U.S.C. § 102(e) is respectfully requested.

**CONCLUSION**

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-49700/EAH.

Respectfully submitted,



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